



Atty. Dkt. No. 060641-0113

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Yasufumi KIKUCHI et al.

Title: HUMANIZED ANTI-CD47  
ANTIBODY

Appl. No.: 10/578,840

International 11/11/2004

Filing Date:

371(c) Date: 02/16/07

Examiner: Maher M. Haddad

Art Unit: 1644

Confirmation 2215  
Number:

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed October 08, 2008, Applicants hereby provisionally elect for examination, with traverse, Group I, Claims 1-16 and 21-22, drawn to a humanized antibody binding to CD47 and a therapeutic agent thereof.

In response to the election of species requirement, Applicants elect SEQ ID NO:73 (the humanized MABL-2 antibody HL5) to serve as a starting point for the Examiner's search. Applicants additionally elect the sequence of amino acids 24-39 (CDR1), the sequence of amino acids 50-66 (CDR2) and the sequence of amino acids 99-106 (CDR3) of SEQ ID NO: 7 as the heavy chain variable region sequence. Applicants elect the sequence of amino acids 24-39 (CDR1), the sequence of amino acids 55-61 (CDR2) and the sequence of

amino acids 94-102 (CDR3) of SEQ ID NO: 37 as the light chain variable region sequence. Claims 1-4, 6-9, 12, 13, 21 and 22 read upon this species.

This species election is made with traverse, as all sequences in the specification referring to CDRs have a common basis in binding CD47. Applicants understand that upon identification of allowable subject matter in generic or linking claims, additional species will be examined.

Receipt of the initial Office Action on the merits is awaited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 8, 2008

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5569  
Facsimile: (202) 672-5399

By Stephen Maebius Reg. No. 43,438

/s/ Stephen B. Maebius  
Attorney for Applicant  
Registration No. 35,264